

## REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1, 3-11 and 22 are pending in this application, with Claim 1 being independent. No Claims have been amended. No new Claims have been added.

Claims 1, 3, 4, 6-8, 10, 11 and 22 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0184539 to Fukuda et al. Claims 5 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuda et al. In view of U.S. Patent No. 6,968,058 to Kondoh et al. Applicant respectfully traverses these rejections for the reasons discussed below.

As recited in independent Claim 1, the present invention is directed to an imaging apparatus that has two different modes. Specifically, it has a first authentication mode that authenticates whether first image data has been altered, where the first image data is generated in the imaging apparatus, and a second authentication mode that authenticates whether second image data has been altered, where the second image data is generated by a second imaging apparatus and received from an external device. Thus, according to the features recited in Claim 1, the image apparatus can perform authentication for either image data generated by the imaging apparatus itself or image data received from another device.

Applicant submits that the cited art fails to disclose or suggest at least the above-mentioned features of Claim 1. The Examiner cites to paragraphs 0009 and 0010 of Fukuda et al. as allegedly disclosing the claimed authentication unit having first and second authentication modes for respectively authenticating first image data using first authentication data and second image data using authentication data. Applicant submits that Fukuda et al., in particular paragraphs 0009 and 0010 of that document, do not disclose what the Examiner alleges is disclosed.

In particular, Applicant respectfully submits that paragraphs 0009 and 0010 of Fukuda et al. merely disclose a single mode of authenticate. In paragraph 0009, lines 29-39, that document states:

a second program generating element for generating a second program for creating a second image based on the random number, on the time of receipt retrieved by the retrieving element, and on the user ID; and an authenticating element for authenticating the mobile information terminal displaying the first image, by verifying a match between second information corresponding to the second image generated by execution of the second program generated by the second program generating element on the one hand, and the first information recognized by the recognizing element on the other hand.

Paragraph 0010 describes the same technique as that described in paragraph 0009.

However, Applicant submits that the description in paragraphs 0009 and 0010 does not describe first and second modes for respectively authenticating first image data using first authentication data and second image data using second authentication data. On the contrary,

those paragraphs describe “authenticating the mobile information terminal displaying the first image, by verifying a match between second information corresponding to the second image generated by execution of the second program generated by the second program generating element on the one hand, and the first information recognized by the recognizing element on the other hand.” Hence, all that is described is an authentication process for authenticating a first image, by performing a match between a second image and first information recognized by a recognizing element.

In other words, there is no disclosure of an authentication process for authenticating the second image. The “second image” is merely created in order to verify the match between “the second information corresponding to the second image” and “the first information corresponding to the first image”. Therefore, Applicant submits that the “authenticating element” disclosed in Fukuda et al. merely has an authentication mode for authenticating the first image, and does not have an authentication mode for authenticating the second image.

Accordingly, Applicant respectfully submits that Fukuda et al. clearly fails to describe first and second authentication modes, as recited in independent Claim 1. Therefore, Applicant submits that the rejection based on that document should be withdrawn.

Applicant further submits that the other cited art fails to remedy the above-noted deficiencies of Fukuda et al.

For the foregoing reasons, Applicant submits that the present invention recited in independent Claim 1 is patentable over the art of record.

The dependent claims are believed patentable for at least the same reasons as Claim 1, as well as for the additional features they recite.

In view of the foregoing, this application is believed to be in condition for allowance.  
Favorable consideration and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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